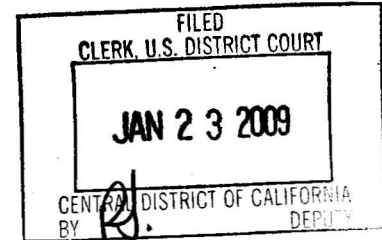


JS-6

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11 Attorneys for Plaintiffs

12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA  
14 WESTERN DIVISION

15 CAROL S. DUDASH, et. al.,

16 Plaintiffs,

17 vs.

18 ALSTOM POWER, INC., et. al.,

19 Defendants.

Case No.: CV 08-7434 R (JTLx)

**STIPULATION REQUESTING  
ORDER DISMISSING  
DEFENDANT VIAD CORP. WITH  
PREJUDICE AND REMANDING  
CASE IN ITS ENTIRETY TO  
STATE COURT; ~~PROPOSED~~  
ORDER**

[C.D. Cal. Local Rules 7-1 & 52-9]

Courtroom: 8

Judge: Hon. Manuel L. Real

20  
21 Plaintiffs and defendant Viad Corp. submit this stipulation jointly requesting  
22 that the Court issue an order dismissing with prejudice plaintiffs' action against  
23 Viad and remanding this case in its entirety to state court.

24 IT IS HEREBY STIPULATED by and between plaintiffs and Viad, through  
25 their respective attorneys of record, as follows:

26 Plaintiffs initiated this action on October 3, 2008, in the Superior Court of  
27 the State of California, County of Los Angeles. Following service of summons on  
28 its agent for service of process, Viad timely removed this case to the United States

STIPULATION REQUESTING ORDER DISMISSING DEFENDANT VIAD CORP. WITH PREJUDICE AND REMANDING CASE  
IN ITS ENTIRETY TO STATE COURT; [PROPOSED] ORDER

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1 District Court for the Central District of California, asserting federal officer  
 2 jurisdiction based on the government contractor defense. No other defendant filed  
 3 and served a notice of removal in this case, and no other defendant joined in Viad's  
 4 notice of removal.

5 Plaintiffs and Viad hereby jointly request that the Court dismiss with  
 6 prejudice plaintiffs' action against Viad and remand this case in its entirety to state  
 7 court. With the dismissal of plaintiffs' action against Viad, there will remain no  
 8 party in this action that has invoked the jurisdiction of the federal courts in this  
 case.


9 Plaintiffs' willingness to stipulate to the dismissal with prejudice of this  
 10 action against Viad is conditioned upon the remand of this case in its entirety to the  
 11 Superior Court of the State of California, County of Los Angeles; and Viad's  
 12 willingness to stipulate to the remand of this case to state court is conditioned upon  
 13 the dismissal with prejudice of plaintiffs' action against it.

14 If the Court orders the dismissal with prejudice of plaintiffs' action against  
 15 Viad and the remand of this case in its entirety to state court, plaintiffs and Viad  
 16 waive all claims for costs and expenses in relation to this action as against each  
 other.

17 IT IS SO STIPULATED.

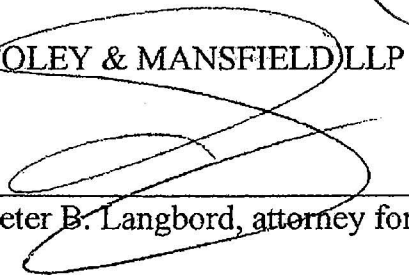
18 DATED: January 20, 2009

PAUL AND HANLEY, LLP

19   
 20 Deborah R. Rosenthal, attorney for plaintiffs

21  
 22 DATED: January 20, 2009

FOLEY & MANSFIELD LLP

23   
 24 Peter B. Langbord, attorney for Viad Corp.  
 25  
 26  
 27  
 28

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that defendant Viad Corp. is hereby dismissed with prejudice from the instant action. It is further ordered that the above-captioned case, *Carol Dudash et. al. v. Alstom Power, Inc., et. al.*, U.S. District Court Case No. CV 08-7434 R (JTLx), is hereby remanded to the Superior Court of the State of California in and for the County of Los Angeles. Each party shall bear its own costs and expenses in relation to this action as against each other.

DATED: Jan. 23, 2009



HONORABLE MANUEL L. REAL